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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,149	07/30/2003	Karl Englbrecht	TRW(AS)6877	9466

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EXAMINER

DUNN, DAVID R

ART UNIT PAPER NUMBER

3616

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/630,149	Applicant(s) ENGLBRECHT ET AL.	
	Examiner David Dunn	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5,7,8 and 10-12 is/are rejected.
- 7) ☒ Claim(s) 3,6 and 9 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/12/03, 9/20/04</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statements filed September 12, 2003 and September 20, 2004 are acknowledged. See enclosed IDS forms.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 is indefinite as it is unclear what is meant. Regarding the openings being “arranged diametrically thereto” it appears the “thereto” refers to the “central axis” and it is unclear how the openings are arranged diametrically in relation the axis. Considering the two meanings of “diametrically”, the openings are not on the diameter of the axis, and it does not appear that the openings could be considered to be opposed to the axis.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 2, 4, 5, 7, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lohr (3,711,115) in view of Thomas et al. (6,616,177).

Lohr discloses a gas generating device (2) having at least two openings (58, 56) which are arranged neutral with respect to thrust (see Figure 1). As seen in Figure 1, the openings are on opposite sides.

Lohr fails to show a gas conduit pipe connected to the openings.

Thomas et al. teaches an airbag system with a gas conduit pipe (38A) fastened to the gas generator, wherein the pipe projects into an interior of the gas generator (see Figure 11). The conduit pipe has a stop (welding attachments; see Figure 11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lohr with the teachings of Thomas et al. to provide conduit pipes attached to the airbags in order to securely provide a connection between the airbag and gas generator. Regarding claim 8, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a nut and screw attachment, as such attachments are old and well known in the art.

7. Claims 1, 2, 4, 5, 7, 8, and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada et al. (5,899,492) in view of Thomas et al. (6,616,177).

Okada et al. discloses a gas generating device (200; see Figure 13) having at least two openings (20) which are arranged neutral with respect to thrust (see Figure 1). As seen in Figure 13, the openings are on opposite sides. The openings are arranged between two stages of in a common outflow space (232)

Okada et al. fails to show a gas conduit pipe connected to the openings.

Thomas et al. teaches an airbag system with a gas conduit pipe (38A) fastened to the gas generator, wherein the pipe projects into an interior of the gas generator (see Figure 11). The conduit pipe has a stop (welding attachments; see Figure 11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Okada et al. with the teachings of Thomas et al. to provide conduit pipes attached to the airbags in order to securely provide a connection between the airbag and gas generator. Regarding claim 8, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a nut and screw attachment, as such attachments are old and well known in the art.

Allowable Subject Matter

8. Claims 3, 6, and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. France shows an airbag system with a conduit pipe extending into a gas generator. Cuevas et al. shows an inflator of interest. Smith et al. shows an inflator of interest.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Dunn whose telephone number is 571-272-6670. The examiner can normally be reached on Mon-Fri, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David Dunn
Primary Examiner
Art Unit 3616